

Message Text

UNCLASSIFIED

PAGE 01 STATE 206107
ORIGIN L-03

INFO OCT-01 AF-10 ISO-00 ICA-20 JUSE-00 PER-05 /039 R

DRAFTED BY L/C:FAKWIA TEK:JW
APPROVED BY L/C:FAKWIA TEK
AF/E - K.P. GARLAND
AF/EX - J.E. BECKER

-----098696 151737Z /46

R 151536Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY ADDIS ABABA

UNCLAS STATE 206107

E.O. 11652: N/A

TAGS: ACLM, ET, US

SUBJECT:TORT CLAIM CONCERNING TRAFFIC ACCIDENT INVOLVING
DEPARTMENT EMPLOYEE

REF: (A) ADDIS 3169 (B) ADDIS 2487 (C) STATE 191084 AND
(D) ADDIS 3417

1. BASED ON RESPONSE CONTAINED IN REFTEL D THAT WILLS
WAS NOT, REPEAT NOT, OPERATING EMBASSY VEHICLE INVOLVED
IN ACCIDENT WHILE ACTING WITHIN THE SCOPE OF HIS OFFICE
OR EMPLOYMENT, CLAIM IS NOT, REPEAT NOT, COMPENSABLE
UNDER THE PROVISIONS OF THE FEDERAL TORT CLAIMS ACT OF
1949, OR THE ACT OF AUGUST 1, 1956.

2. FACT THAT WILLS WAS OPERATING A VEHICLE UNDER A POST
APPROVED POLICY NOT PROHIBITED BY 6 FAM 237.1-4 (E) DOES
NOT JUSTIFY ANY EXCEPTION TO REQUIREMENT OF ACT THAT
NEGLIGENT OR WRONGFUL ACTS OR OMISSION MUST TAKE PLACE
WHILE EMPLOYEE ACTING WITHIN THE SCOPE OF HIS OFFICE OR
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 206107

EMPLOYMENT.

3. UNFORTUNATELY, WILLS HAD THE BAD LUCK TO BE ASSIGNED
A VEHICLE WHICH HAD ERRONEOUSLY BEEN OMITTED FROM THE

FLEET INSURANCE POLICY OF THE EMBASSY. AS EMBASSY
CORRECTLY STATES, HAD VEHICLE BEEN COVERED BY FLEET

POLICY INSURANCE COMPANY WOULD BE FACED WITH PROBLEM OF
SETTLING CLAIM.

4. IN CIRCUMSTANCES, EMBASSY NOT, REPEAT NOT, AUTHORIZED
TO NEGOTIATE OUT OF COURT SETTLEMENT OR PROCURE LEGAL
SERVICES WITH VIEW TO SETTling CLAIM UNDER THE FEDERAL
TORT CLAIMS ACT OF 1949 AND THE ACT OF AUGUST 1, 1956.

5. BUREAU CURRENTLY STUDYING WHAT OTHER COURSE OF ACTION
MAY BE FEASIBLE REGARDING SETTLEMENT. SEPTel FOLLOWS. CHRISTOPHER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 15 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE206107
Document Source: CORE
Document Unique ID: 00
Drafter: FAKWATEK:JW
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780333-1072
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780863/aaaacacd.tel
Line Count: 72
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 02fc8563-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 ADDIS ABABA 3169, 78 ADDIS ABABA 2487, 78 STATE 191084, 78 ADDIS ABABA 3417
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1735764
Secure: OPEN
Status: NATIVE
Subject: TORT CLAIM CONCERNING TRAFFIC ACCIDENT INVOLVING DEPARTMENT EMPLOYEE
TAGS: ACLM, ET, US
To: ADDIS ABABA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/02fc8563-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014